IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELALTE SIDE

WRIT PETITION NO.2802 OF 2006

Prabhakar Shivling Tamboli & Ors. ...Petitioners.

Vs.

Smt. Kondabai @ Anjirabai Mohanlal Agarwala & Ors. ...Respondents.

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Mr.S.S. Deshmukh h/f.Mr. R.A.Thorat for the Petitioners.

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CORAM : DR.D.Y.CHANDRACHUD, J.

June 12, 2006.

P.C. :

The suit was filed in the year 1983, inter alia, on the ground of the bonafide requirement fo the landlord. The suit was decreed on 29th April 1997. The tenant has filed an appeal. An application has now been taken out for amendment of the written statement. The Additional District Judge, Satara has furnished reasons why the application should not be allowed. At this stage,

I am not inclined to exercise the supervisory jurisdiction under Article 227 of the Constitution. Once the appeal is disposed of, it would be open to the Petitioners, if it becomes necessary to do so, to challenge the final judgment and order on all counts including the refusal of amendment. The petition is accordingly dismissed.

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